



Public Notice

US Army Corps
of Engineers
Memphis District

REPLY TO:
U.S. Army Corps of Engineers
ATTN: Joe Brougher
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
Telephone (901) 544-3472
Fax (901) 544-0211
Email: Joseph.F.Brougher@mvm02.USACE.ARMY.MIL

PUBLIC NOTICE NO:
Cache River 2001-041 [jb]

REFERENCE NUMBER:
2001 09 041

PUBLIC NOTICE DATE:
September 25, 2001

EXPIRATION DATE:
October 25 , 2001

POSTMASTER PLEASE POST UNTIL:

**Joint Public Notice
Corps of Engineers
and
State of Arkansas**

AUTHORITY: Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

APPLICANT: Charles Reeves
12148 Hwy 260
McCrory, Arkansas 72101
Phone: (870) 731-2418

LOCATION: The project is located approximately 8 miles south of McCrory in Woodruff County, Arkansas, at approximate latitude 035-7-48.24 and longitude 091-12-42.22 on the Grays 7.5 minute quadrangle map.

PURPOSE: The applicant's purpose is to provide access between two fields while also allowing for the ability to flood adjacent herbaceous wetlands and prior converted cropland during winter months for waterfowl usage.

DESCRIPTION OF WORK: The applicant proposes to construct a road crossing of the headwaters of Buffalo Creek that would be culverted using a flash-board riser. The control structure would be utilized only during winter months (October 15 thru March 1) to provide habitat for wintering waterfowl. The applicant intends to flood the surrounding area to approximately six to eight inches in depth. The proposed road would be approximately 2 feet in height, with a 10-foot top width and 3H:1V side slopes. Total length would be approximately 300 feet and direct impacts would be approximately 0.15 acre in size. The wetlands adjacent to the creek are dominated by cattails and smartweed, with very few living trees (mostly black willow and buttonbush) due to rampant beaver activity. The deposition of fill material into waters of the U.S., including adjacent wetlands requires Corps authorization.

WATER QUALITY CERTIFICATION: By copy of this public notice, the applicant is requesting water quality certification from the Arkansas Department of Environmental Quality that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto. This certification or evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

ENDANGERED SPECIES: No endangered or threatened species, or their critical habitat, are known to exist in the project area. This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may

have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The National Register of Historic Places has been consulted, and it has been determined that there are no properties currently listed in the register which will be affected by the work. The consultation of the National Register will constitute the full extent of cultural resources investigation by this office unless we are made aware as a result of comments received in response to the notice or by other means of the existence of specific structures or sites which might be affected by the work. Copies of the notice are being sent to the State Archaeologist and the State Historic Preservation Officer.

FLOOD PLAIN: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed public notice and apprise this office of any flood plain development permit requirements.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

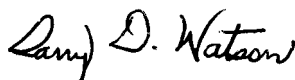
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

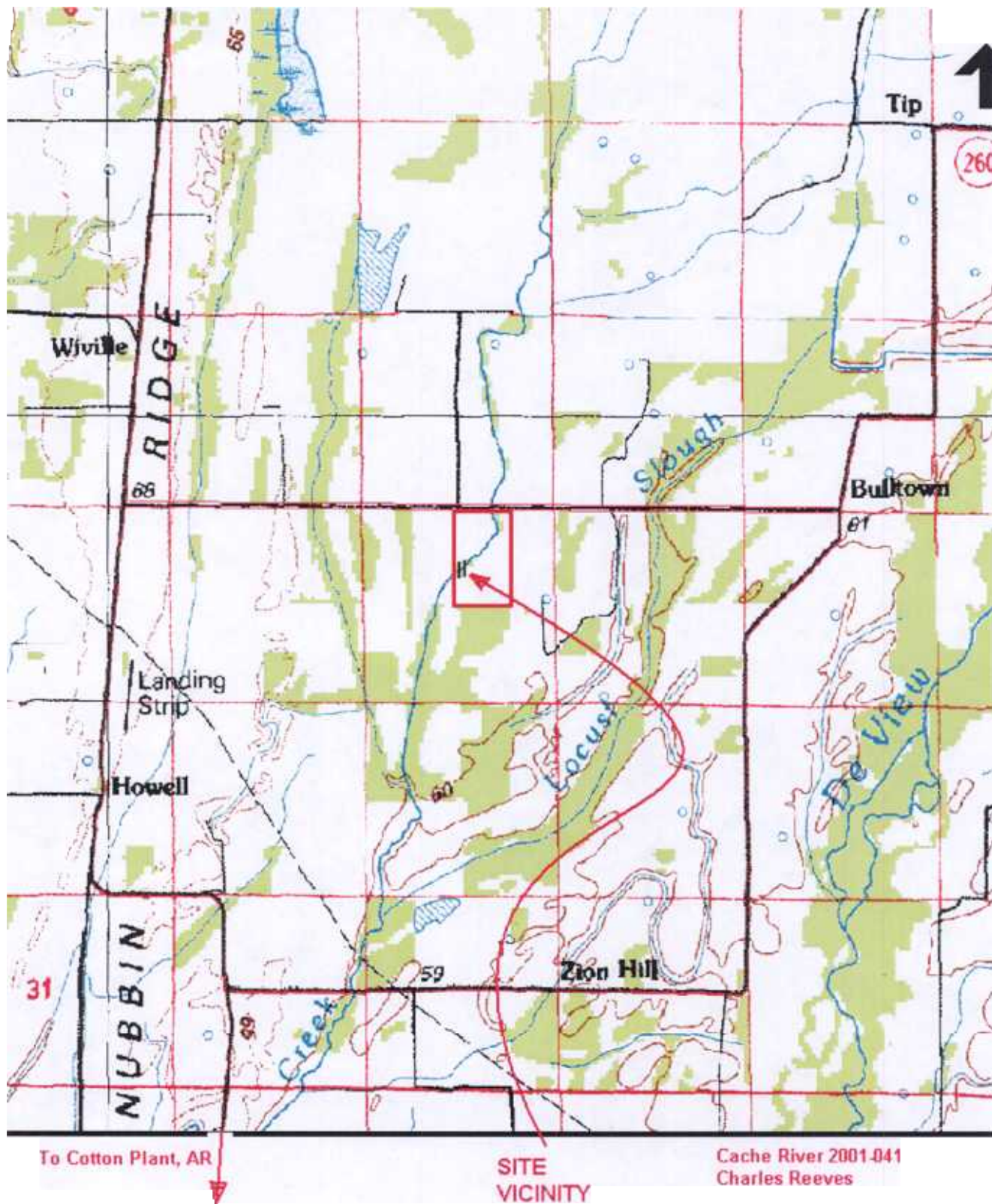
COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: If you wish to obtain additional information or to submit comments on the application, please contact Joe Brougher at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-3472. Copies of all comments, including the names and address of commenters, may be provided to the applicant for consideration and response prior to a decision by the Corps.

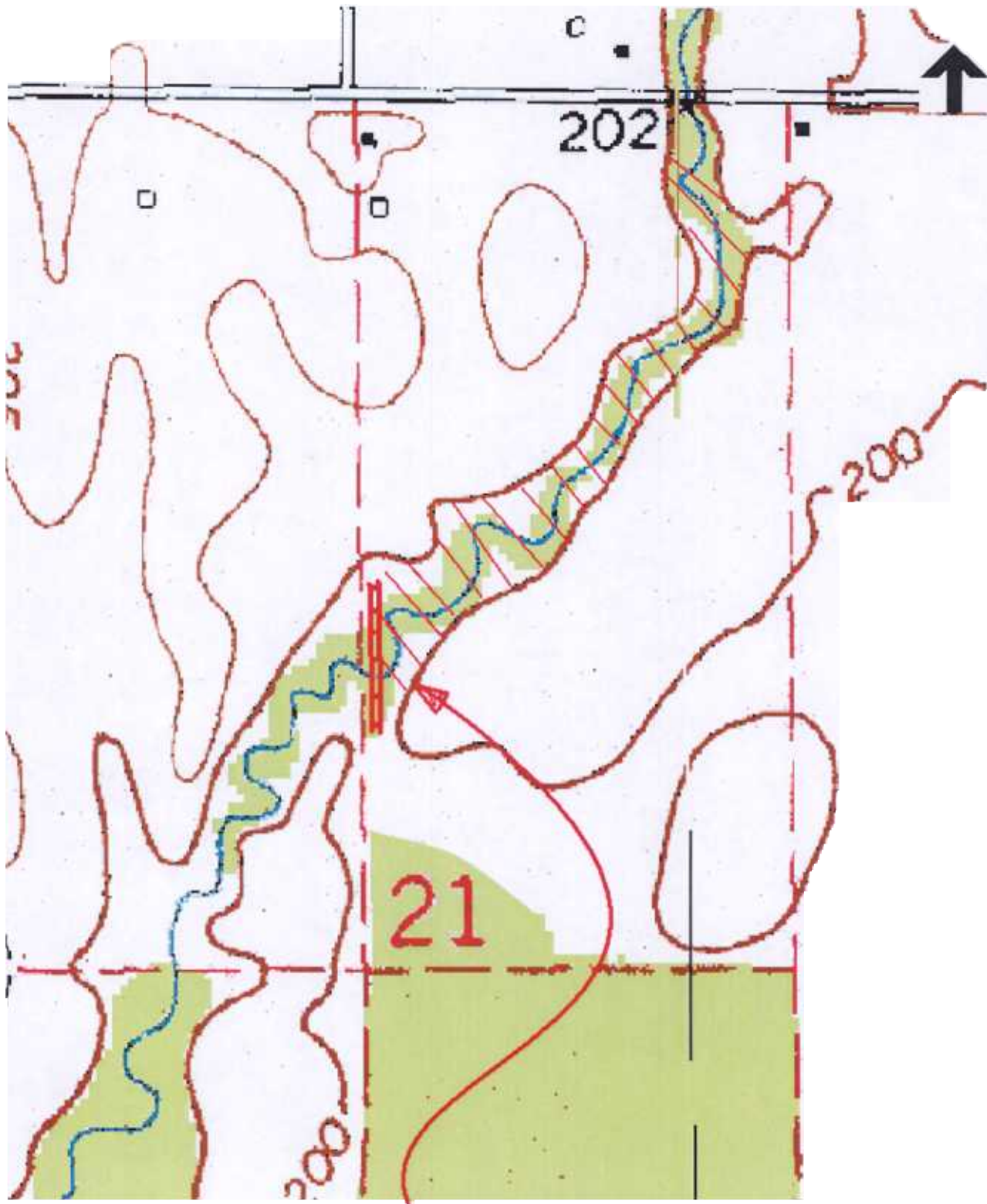
Comments should be received by October 25, 2001



Larry D. Watson
Chief
Regulatory Branch

Attachments





SITE MAP

Area to be flooded w/ road alignment

**Cache River 2001-041
Charles Reeves**

Typical Cross Section

